



# The New Mardin Declaration: An Attempt at Justifying the New World Order

Shaykh Anwar al-Awlaki

It is important that we encourage Muslims to respect their scholars. It is to no one's benefit to put down the men of knowledge who represent the religion of Allah. But when some of our scholars - no matter how knowledgeable they are - divert from the straight path, we the Muslims, need to advise them.

Everyone beyond the Messenger of Allah ﷺ stands corrected. Umar (may Allah be pleased with him) asked from the pulpit: "If I divert away from the straight path what would you do?" One of the companions replied: "We will put you straight with our swords." There is another incident where an old woman corrected Umar when he was speaking. Umar said: "Umar was wrong and the woman was right." That is a healthy spirit that Muslims need to develop today. We respect our scholars, but ours is a principle centered religion; it is not centered on men. In April 2010, in the city of Mardin, a group of scholars gathered in order to re-interpret the *fatwa* of Ibn Taymiyyah which was in response to a question sent to him pertaining to the situation of the city of Mardin, where Muslims and non-Muslims lived and, at the time, it was being ruled by non-Muslims.

The scholars meeting in Mardin issued what they dubbed as "*The New Mardin Declaration*" in which they declared the *fatwa* of Ibn Taymiyyah unsuitable for our times and should not be used by "*extremists to justify violence*".

Following are excerpts from the declaration along with my comments:

*It is such a changed context that Ibn Taymiyya took into consideration when passing his fatwa, and that now makes it imperative that contemporary jurists review the classical classification, because of the changed contemporary situation: Muslims are now bound by international treaties through which security and peace have been achieved for the entire humanity, and in which they enjoy safety and security, with respect to their property, integrity and homelands.*

Has peace really been achieved for the entire humanity? Are Muslims enjoying security and peace? Or they don't really matter as long as Western societies are the ones enjoying it? Are these scholars following the news? If they think that they are enjoying peace and security, the majority of the *ummah* think otherwise.

I read the above mentioned statement and it made me ill at ease. I read it and reread it and just couldn't come into terms with it. Coming from a Western politician such a statement might be expected, but from a group of "eminent" Muslim scholars? I must say that with all the respect I try to have towards our learned ones, the above statement is an ignominy that would be bad enough if it was blurted out in an impromptu speech let alone a well deliberated and thought-out, written declaration. It is an insolent statement that shows no respect to the sufferings of our *ummah*. It is a slap on the face of the Palestinian widow and the Afghan orphan. It is disrespectful towards the millions of Muslims around the globe who are suffering because of the international community which these scholars are crediting for bringing so much "*security and peace*".

By such a statement they are not representing the *ummah* nor are they reflecting its sentiments. They are speaking for none other than themselves.

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1 This article was written as a refutation of the new Mardin declaration by Shaykh Anwar al-Awlaki and completed in April. However due to technical difficulties its publication was delayed.

2 This gathering included the scholars Hamza Yusuf from the U.S., Abdullah bin Bayyah from Mauritania, Abdul Wahhab at-Tariri from Riyadh, Habib Ali al-Jifri from Yemen and many others.

Secondly, they claim that Muslims are “*bound by international treaties.*”

Why are the Muslims bound to them? Who bound them?

The international community they respect so much was born at the funeral of the last Islamic *Khilāfah*. The Western powers came into domination after they exterminated the Ottoman *Khilāfah* and divided it amongst themselves into zones of influence. They destroyed the *Khilāfah*, established control over the international community and then came up with these treaties; and we were not there at the table, we had no representation whatsoever, we were completely and utterly ignored in the decision making process on the world stage. We were not even present at the signing ceremonies. So why are we bound to those treaties? What kind of *fiqh* or logic would make such treaties binding on us? We had no part and no say in any of these treaties. We only have a presence in the crammed hall of the general assembly of the United Nations, but not at the Security Council which is still off limits to the 50 plus Muslim states.<sup>3</sup>

Probably they should read up a bit and refresh their memories with, not wars of the past centuries, but the wars fought recently by these particular democratic nations they are trying to protect. They should remember WWII, the most devastating war man has ever fought; the war in which the greatest number of soldiers and civilians ever died. It was also the first war in modern history where the number of civilians killed was greater than the number of soldiers. About 30 million soldiers and about 50 million civilians lost their lives in this brutal war. Then came Korea, Vietnam, and now Iraq and Afghanistan. For the last fifty years the Palestinian dilemma has been a shameful chapter in the book of humanity. Have we already forgotten the war of the Balkans where Europe watched in silence the genocide of European Muslims?

So what exactly do they mean by “security and peace have been achieved for the entire humanity?” Following are the conclusions the scholars have reached:

*Ibn Taymiyya’s fatwa concerning Mardin can under no circumstances be appropriated and used as evidence for leveling the charge of kufr (unbelief) against fellow Muslims, rebelling against rulers, deeming game their lives and property, terrorizing those who enjoy safety and security, acting treacherously towards those who live (in harmony) with fellow Muslims or with whom fellow Muslims live (in harmony) via the bond of citizenship and peace. On the contrary, the fatwa deems all of that unlawful, notwithstanding its original purpose of supporting a Muslim state against a non-Muslim state. Ibn Taymiyya agrees with all of this, and follows the precedent of previous Muslim scholars in this regard, and does not deviate from their position. Anyone who seeks support from this fatwa for killing Muslims or non-Muslims has erred in his interpretation and has misapplied the revealed texts.*

Overall the language used in this declaration is not that of Islamic jurisprudence but is more a language of a combination of lawyers and peace activists. One may understand that out of their desire of brevity they did not include the textual evidence for their sweeping blanket statements and conclusions but that wouldn’t be much of a problem if these conclusions were in line with Islamic law, but they are not.

The statement declares that we cannot level the charge of *kufr* against fellow Muslims, we are not allowed to rebel against rulers, and we are not allowed to terrorize those who enjoy safety and security.

We are not allowed to level the charge of *kufr* against fellow Muslims, which is true. But when a Muslim does commit *kufr bawāḥ* (open unbelief), the charge of *kufr* does need to be leveled against him. Muslims should level the charge of *kufr* against those whom Allah and His Messenger ﷺ considered as disbelievers, not more, not less.

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<sup>3</sup> It needs to be noted that I am only describing the current state of affairs. By no means should it be understood to be an approval of Muslims states being part of the United Nations.

Concerning the rulers: if they are Muslim, but oppressive, *ahl as-Sunnah* have two opinions: the first is they are allowed to rebel against them and this was what happened during the early generations: The revolt of al-Hussain against Yazid, Abdullah bin al-Zubair against Marwan, Abdul Rahman bin al-Ash'ath against Abdul Malik, Muhammad al-Nafs al-Zakiyyah and Zaid bin Ali against the Abbasids.

The second opinion: We are not allowed to rebel against the Muslim ruler even if he is oppressive and this is the majority view. Our classical scholars reached this conclusion after studying our early history. Their view is that the rebellions against the oppressive rulers brought more evil than the oppression of the rulers. However, and this is the crux of the matter: If a ruler has committed disbelief then it is obligatory to revolt against him. This is a matter of consensus among the classical scholars of *ahl as-Sunnah*.

The declaration goes on to claim that we may not terrorize those who enjoy safety and security. To throw out such a blanket statement that we are not allowed to terrorize those who enjoy safety and security in light of the present state of the world is another reckless statement. According to these scholars, we the Muslims are not allowed to terrorize the Israelis, or the Americans, or the British who are living in safety and security while millions of Muslims are being terrorized by them. We are told to never mind the insecurity of the Palestinian or the Chechen or the Kashmiri. Never mind them. We are simply not allowed to terrorize, period.

No. We do not agree with that. We do not agree with that because Allah جل جلاله says: {**And prepare for them what you can of strength and steeds of war that you may terrorize with it the enemy of Allah and your enemy**} [*al-Anfāl*: 60]

We say that whoever terrorizes us, we will terrorize them and we will do what we can to strip them of their safety and security as long as they do us the same. They continue:

*The classification of abodes in Islamic jurisprudence was a classification based on ijtihād (juristic reasoning) that was necessitated by the circumstances of the Muslim world then and the nature of the international relations prevalent at that time. However, circumstances have changed now: The existence of recognized international treaties, which consider as crimes wars that do not involve repelling aggression or resisting occupation; the emergence of civil states which guarantee, on the whole, religious, ethnic and national rights, have necessitated declaring, instead, the entire world as a place of tolerance and peaceful co-existence between all religions, groups and factions in the context of establishing common good and justice amongst people, and wherein they enjoy safety and security with respect to their wealth, habitations and integrity. This is what the Shari'ah has been affirming and acknowledging, and to which it has been inviting humanity, ever since the Prophet (peace and blessings be upon him) migrated to Madina and concluded the first treaty/peace agreement that guaranteed mutual and harmonious co-existence between the factions and various ethnic/race groups in a framework of justice and common/shared interest. Shortcomings and breaches perpetrated by certain states that happen to scar and mar this process cannot and should not be used as a means for denying its validity and creating conflict between it and the Islamic Shari'ah.*

The classification of abodes in Islamic jurisprudence is exactly that: a classification. It is not some sort of innovative new law. It is simply a classification based on the many textual references on the subject. When Ibn Taymiyyah introduced his modified classification, that was based on the new situation of Muslims living under non-Islamic rule; it was based on this new circumstance but there was no changing of the rulings and it was in line with Islamic teachings. It was simply, a change in the classification. What we are presented with here in this declaration is not merely a reclassification of abodes, but a thorough revision of *usūl* (Islamic principle tenets or foundations) based on a new world order agenda.

***"The existence of recognized international treaties..." They are recognized by the ones who set them and not by us.***

"...which consider as crimes wars that do not involve repelling aggression or resisting occupation." Not at all. The international community does not consider the U.S. invasion of Iraq and Afghanistan to be a crime. It does not consider the Israeli occupation of the land of pre-1967 to be a crime. Nor does it consider China, India, or Russia as criminals in their respective occupation of Muslim lands. It does not consider Spain to be criminal in its occupation of Ceuta and Melilla (let alone considering it to be criminal for occupying the entire Iberian Peninsula from the Muslims).

So what do they exactly mean by these international treaties?

This declaration is out of touch with the realities on the ground.

When they say: "...the emergence of civil states which guarantee, on the whole, religious, ethnic and national rights," The civil states referred to here have banned the niqab and fiercely defended the right to defame Muhammad ﷺ. They allow a very restricted form of personal worship that does not truly accommodate for the comprehensiveness of Islamic practice. The civil state has more authority over the wife and children than the Muslim head of the household. The law of Allah is not recognized by this civil state and the Muslim is forced to accept rulings of courts of law that are contrary to the law of Allah. So, on the whole, the modern civil state of the West does not guarantee Islamic rights.

Also, when they say: *"...necessitated declaring, instead, the entire world as a place of tolerance and peaceful co-existence between all religions,"*

Islam can never recognize and live in peaceful co-existence with worshipping a cow or an idol. Islam does not recognize *shirk*. Allah has honored us with guidance. With this honor comes the added responsibility of sharing the light of Allah with the world.

I challenge these scholars to point out to me one - just one - Prophet of Allah who lived in peaceful coexistence with the disbelievers?

From Adam (peace be upon him) all the way to Muhammad ﷺ, not one of them, not a single one, lived with the disbelievers without challenging them, opposing them and exposing their falsehood and resisting their ways. Not one of them lived without a conflict with the disbelievers that ended up with a total and final separation between the two camps: a camp of belief and a camp of *kufr*. The disbelievers were then destroyed either through a calamity or by the hands of the believers.

This is what the Qur'an teaches us about the Prophets. A cursory study of the Qur'an would solve such confusion over what our relationship with the *kuffār* should be like.

*Amongst the priorities of Muslim scholars and Islamic academic institutions, there should be the analysis and assessment of ideas that breed extremism, takfir (labeling fellow Muslims as unbelievers) and violence in the name of Islam. Security measures, no matter how fair and just they may happen to be, cannot take the place of an eloquent (scholarly) elucidation supported by proof and evidence. Therefore, it is the responsibility of the ummah's religious scholars to condemn all forms of violent attempts-to-change or violent protest, within, or outside, Muslim societies. Such condemnation must be clear, explicit, and be a true manifestation of real courage-in-speaking-the-truth, so as to eliminate any confusion or ambiguity.*

The Messenger of Allah ﷺ warned against the *khawārij* who represented a manifestation of extremist belief and actions. There are two traits of the *khawārij* that stand out: Firstly, they use to accuse Muslims of *kufr* based on acts that are considered to be major sins and not acts of disbelief. They considered the one who commits such sins to be destined to an eternal punishment in Hellfire. So adultery, fornication, drinking alcohol, and theft are all sins that commit a person to eternal punishment. They have also accused the companions of the Messenger of Allah ﷺ such as Ali and Mu'awiyah of being disbelievers.

The second trait: They kill Muslims and spare the lives of disbelievers. The *khawārij* have caused so much civil strife during the reign of the Umayyads and the Abbasids and yet, they had no record of jihad against the disbelievers. Therefore, the *khawārij* are a phenomenon that manifests itself during Islamic rule and fades away, although not completely, during times like ours. Yes, there still remains strains of *takfir* today that are similar to those of the *khawārij* of yesterday but the problem of extremism is a problem that is most pronounced during times of the strength of the *ummah* rather than moments of weakness. In times like ours, it is the problem of the other extreme, *irjā'*, that we need to actively tackle. The *Murji'ah* went to the other extreme end of the scale and considered that no act that a Muslim might commit would take him out of the folds of Islam. For example, according to the *Murji'ah*, if a Muslim legislates laws and implements them in place of the laws of Allah, he is still a Muslim.



What we need is the middle path; the path of the Messenger of Allah ﷺ and his companions; the path that follows the Qur'an and Sunnah. That is the straight path that we invoke Allah in every *raka`ah* of *Ṣalah* to grant us.

But sadly this is not what this declaration is about. This declaration does not represent the middle path. It represents a benign version of Islam that is friendly towards the power holders of the day and stands against the changing of the status quo. The declaration calls for a blanket condemnation of “*all forms of violent attempts-to-change or violent protest, within, or outside, Muslim societies.*”

This might be the way of Gandhi or Martin Luther King, but it is not the way of Muhammad ﷺ who said: “*I was sent with the sword before the Day of Judgment.*”

Islam does recognize changing through force and that is what fighting *fi sabilillāh* is. Today we cannot expect Palestine, Iraq or Afghanistan to be freed again except by force. Israeli and American aggression cannot be met with pigeons and olive branches but must be met with bullets and bombs. It is through the heroic acts of the Palestinian martyrs that Israel had forsaken its dream of a greater Israel and retracted upon itself behind walls and barriers. It is because of these operations that Ariel Sharon unilaterally pulled out all Jewish settlements in Gaza. The strategy of the Palestinian resistance succeeded in exhausting the enemy and forcing it into giving concessions. It was not until internal differences within the Palestinian rank that the tide turned again in favor of the Israelis.

The rule of “what is taken by force cannot be returned except through force” is not only valid from a historical point of view but it is also the statement of Qur'an: {*So fight, [O Muhammad], in the cause of Allah; you are not held responsible except for yourself. And encourage the believers [to join you] that perhaps Allah will restrain the [military] might of those who disbelieve. And Allah is greater in might and stronger in [exemplary punishment]*} [*an-Nisā'*: 84]

What we see from the disbelievers today is not overtures of peace but demonstrations of might. The *āyah* makes it clear that through fighting and inciting the believers to fight – and not through concessions, appeasement, turning the other cheek or even *da`wah* – is the might of the disbelievers restrained.

At a time when American expenditure on its army is anything but decreasing, these scholars are asking us to give up any form of resistance and live as law – Western law that is – abiding citizens. They are asking us to live as sheep, as pleasantly as a flock of tame, peaceful, and obedient sheep. One billion and a quarter Muslims with no say on the world stage, stripped from their right to live as Muslims under the law of Islam, directly and indirectly occupied by the West, are asked to live as sheep. Is that the role of scholars?

America is increasing its military budget not to fight Martians but to fight Muslims. On the other hand, Iran is building the most powerful military in the region. The foundations of the empire of the Shi'a are being laid in front of our own eyes. With some foresight, one can see where this is heading. The area termed the 'Middle East' is edging towards a war on a colossal scale. The *ahl as-Sunnah* up until this moment are the weakest of the three conflicting parties. The Gulf monarchs and the military juntas have completely sold us out. Our heads of state have betrayed us at a critical moment in our history. The last thing we need is for our scholars to follow suit. The *ahl as-Sunnah* do not need more demoralization. They do not need scholars to tell them to pull the shades over their eyes and live in peace in a “civilized” world under the protection of “international treaties” when we, who are living in the Muslim world, foresee that we are standing on the very battlegrounds of the coming world war.

Dear respected scholars: please spare us your letting down. The Messenger of Allah ﷺ said: *"Whoever believes in Allah and the Last Day should either say good or remain silent."*

In trialing times like these, we need to remind ourselves with this advice.

The declaration goes on to state: *"Such condemnation must be clear, explicit, and be a true manifestation of real courage-in-speaking-the-truth."* Courage? Absolutely not. There is no courage in condemning Jihad. There is nothing in it but cowardice.

*Muslim scholars, throughout the ages, have always stressed and emphasized that the jihad that is considered the pinnacle of the religion of Islam, is not of one type, but of many, and actually fighting in the Path of God is only one type. The validation, authorization, and execution of this particular type of jihad is granted by the Shari'ah to only those who lead the community (actual heads of states). This is because such a decision of war is a political decision with major repercussion and consequences. Hence, it is not for a Muslim individual or Muslim group to announce and declare war, or engage in combative jihad, whimsically and on their own. This restriction is vital for preventing much evil from occurring, and for truly upholding Islamic religious texts relevant to this matter.*

*The validation, authorization, and execution of this particular type of jihad is granted by the Shari'ah to only those who lead the community (actual heads of states).*

This statement needs elaboration. There is no explicit evidence that the permission of the Imam is needed for jihad. But the scholars deducted such a requirement from other evidence and because jihad is an act of worship with critical and encompassing consequences. However, the scholars also mentioned a few exceptions to this rule. The one exception relevant to our discussion here is in the situation where there is no Imam or in the case where it is known that the Imam does not promote jihad. In such a case, the scholars stated that both the offensive and defensive forms of jihad should not be stopped but should be carried out by the *ummah*. Ibn Qudamah stated that in the absence of the Imam, jihad should not be stopped and the spoils of war should be divided among the fighters according to the rules of shari'ah. Ibn Rushd states that: "obeying the Imam is mandatory unless the Imam orders the Muslims to commit a sin, then he should not be obeyed, and preventing Muslims from fighting obligatory jihad is a sin."

*The basis of the legitimacy of jihad is that it is either to repel/resist aggression ("Fight in the cause of Allah those who fight you, but do not transgress limits; for Allah loveth not transgressors" — Şūrah al-Baqarah, 190), or to aid those who are weak and oppressed ("And why should ye not fight in the cause of Allah and of those who, being weak, are ill-treated (and oppressed)?" — Surah al-Nisā', 75), or in defense of the freedom of worshiping ("To those against whom war is made, permission is given (to fight), because they are wronged; — and verily, Allah is most powerful for their aid" — Surah al-Ĥajj, 39). It is not legitimate to declare war because of differences in religion, or in search of spoils of war.*

The justifications of jihad listed above are valid but not inclusive. The Messenger of Allah ﷺ said: *"I was instructed to fight mankind until they testify that there is no one worthy of worship except than Allah, and that Muhammad is the Messenger of Allah, they establish Ṣalah and they pay Zakah. Whoever does so have protected from me his blood and his wealth"* [Bukhari and Muslim].

This *ḥadīth* declares that the Muslims have a mission to bring Islam to the world and the application of this *ḥadīth* by the Saḥābah is the best explanation of it.

The first Caliph Abu Bakr (may Allah be pleased with him) fought against the apostates and against the two superpowers of his time, the Roman and Persian Empires. The war against the apostates was to reestablish the acceptance and submission of the tribes of Arabia to the law of Allah. Abu Bakr (may Allah be pleased with him) said if they refuse to give even a bridle they used to give to the Messenger of Allah ﷺ, he will fight them over it.

The wars with the Persian and Roman Empires were unprovoked and were for the prime purpose of spreading the truth to humanity. The Muslim messenger to the Persian leader said: "Allah has sent us to deliver the servants of Allah out of servitude of one another into the service of Allah, and out of the narrowness of this world into the vastness of both this world and the afterlife and out of the oppression of religions into the justice of Islam." There is no conciliatory tone in this statement and no inclination on part of its deliverer to live in "harmony" with followers of different religions. It was clear to the virtuous Muslims then, who had proper understanding of what their duties towards Allah were and who had pride in Islam, that all religions were false, and that all systems of government were oppressive, and that only Islam can offer mankind salvation in both this world and in the Hereafter. They understood that by approving others in their ways they are not doing them a favor, and they are not acting tolerantly towards them but they are doing them a disservice by not showing them the way of truth that would save them from eternal torment. Exceptions were made for the Jews and the Christians, where they were allowed to retain their religious practices as long as they paid the *jizyah* in a state of humility. They were made to know that their religious practices were false, that Islam does not approve of either Judaism or Christianity, and that they are considered to be misguided and are destined to Hellfire. The early Muslims let the Jews and the Christians know this in the clearest and most unambiguous manner. They did this out of concern and care for them.

Regarding their statement: "*It is not legitimate to declare war because of differences in religion, or in search of spoils of war.*" This statement is false. The pagans of Arabia were fought because they were pagans, the Persians were fought because they were Zoroastrians and the Romans were fought because they were Christian. The great Muslim Sultan Mahmud Sabaktakeen fought against the Hindus because they were Hindus and he personally led his army in a risky campaign deep into the land of India with the sole objective of destroying the most revered idol in all of India. He was fighting because of this "difference of religion" our esteemed scholars of Mardin are discounting.

Allah جل جلاله says: {*And fight them until there is no fitnah and [until] the religion, all of it, is for Allah*} [*al-Anfāl*: 39]

The Messenger of Allah صلى الله عليه وسلم said: "*I was instructed to fight mankind until they testify that there is no one worthy of worship except Allah*".

Fighting *fi sabilillāh* can also be for the objective of spoils of war. Most of the dispatches that the Messenger of Allah صلى الله عليه وسلم sent from Madinah were in search of spoils of war. Badr itself was an expedition headed by Muhammad صلى الله عليه وسلم himself in pursuit of a caravan of goods belonging to the Quraish. In fact, the classical scholar Ibn Rajab al-Hanbali states that the purest and best form of sustenance for the believer is that of *ghanimah* (spoils of war) because it was the source of living Allah has chosen for His most beloved of creation, Muhammad صلى الله عليه وسلم.

The Messenger of Allah صلى الله عليه وسلم said: "*My sustenance was made to be under my spear*".

It is known from the *sīrah* that the Messenger of Allah صلى الله عليه وسلم lived off the fifth of the fifth of the spoils of war which was prescribed to him in the Qur'an. Throughout our early history, the greatest source of income for the Muslim treasury was through the revenue generated from fighting *fi sabilillāh*. Spoils of war, *jizyah* (a tax taken from the Jews and Christians), and *kharaj* (a land toll taken from conquered land) represented the most important sources of income for the Islamic treasury.

*The issue of Fatwas in Islam is a serious one. It is for this reason that scholars have drawn up stringent conditions/requirements for the Mufti (the authority issuing fatwas). Of these conditions is that he must be fully qualified in scholarly learning/knowledge. Of the conditions specific to the fatwa itself is having established the proper object of application (manat) according to place, time, and person, circumstance, and consequence/future outcome.*

*The notion of loyalty and enmity (al-walā' wa al-barā') must never be used to declare anyone out of the fold of Islam, unless an actual article of unbelief is held. In all other cases, it actually involves several types of judgment ranging according to the juridical five-fold scale: permissible, recommended, not recommended, non-permissible, and required. Therefore, it is not permissible to narrow the application of this notion and use it for declaring Muslim outside the fold of Islam.*

Yes, *fatwa* is a serious matter and should only be issued by those qualified. Hence, the Muslim masses today need to beware of any *fatwa* that calls for the re-interpretation of well grounded, accepted, and valid *fatwa*'s given by the classical scholars of the past whom the *ummah* accepted and recognized as righteous men of knowledge. We are living in a time when the West has publicly stated that it will use Muslim against Muslim in the battlefield and will use scholar against scholar in the battle for the hearts and minds of the Muslim *ummah*. As one CIA official stated: "If you found out that Mullah Omar is on one street corner doing this, you set up Mullah Bradley on the other street corner to counter it".

Abdullah bin Mas'ood (may Allah be pleased with him) said: "Follow those who have passed away because the living is not secure from *fitnah* (trials that may cause a person to lose their religion)."

The early generations have formulated a framework for all the issues covered in this declaration: jihad, extremism, rules of leveling charges of *kufr* against a Muslim, and *al-walā' wa al-barā'*. Therefore, there is no need to re-interpret these core tenants based on what is clearly nothing more than an approval of a worldview as defined by those in power, i.e. the West.

In closing, one has to wonder as to why there was a great emphasis placed on the *fatwa* of Ibn Taymiyyah on Mardin by the issuers of this declaration. The *fatwa* of Ibn Taymiyyah was in-line with the opinions of the scholars before him and after him. So to believe that somehow the mujahidin are so dependent on this *fatwa* and are basing their jihad on it is not the case. Many, if not most, of the mujahidin have never even heard of it.

The media has also showed interest in the "New Mardin Declaration." Here are some of the headlines:

- Muslim scholars denounce Osama's jihad<sup>4</sup>
- Fatwa rules out violence, scholars says
- Osama bin Laden misinterpreted jihad fatwa<sup>6</sup>
- Muslim scholars recast jihadist's favorite fatwa<sup>7</sup>

So why did the media in the West give this "New Mardin Declaration" more weight than it deserves? Is it some kind of breakthrough *fatwa* that would shake the foundations of the jihad of today? Not at all. This declaration is pretty much meaningless. Even the Mufti of Turkey, albeit for different reasons than what I mentioned, stated that it is "incredibly meaningless." This comes from a Turkish newspaper covering the event:

*But top Turkish religious leaders were notably absent from the gathering. Members of local Mardin press outlets speaking with Sunday's Zaman on the sidelines of the conference noted that many locals viewed the conference with suspicion before it even began. "People are worried that the conference sponsors are connected to the British government and that the whole thing is part of some sort of effort to use Muslims' own religious texts and resources to tie their hands when it comes to issues of jihad as defense. They're worried that the conclusion of the conference will be that jihad is no longer valid in our day and age -- and that this will rule out resistance even under situations of oppression such as that in Palestine today," one journalist said, speculating that the absence of some scholars could be due to their unwillingness to be associated with an event that might prove to be locally unpopular.*

However, the marketing schemes used for this "Declaration" were pretty fascinating. They gathered from different countries and went all the way to Mardin, they held an entire conference to study the Mardin *fatwa*, and then the itinerary for the conference stated that the scholars were going to have a special session for the announcement of the "New Mardin Declaration" with all the scholars signing it as if it is some kind of great manuscript and then they are to pose together for a "group photograph" for this historical moment!

The reality of the matter is that the "New Mardin Declaration" is probably more relevant at scoring points for its signatories with the West, as is apparent by the Western media hailing it, than causing any change on the course of the modern jihad movement.

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4 (CNNi Report 01 April 2010)

5 (The Vancouver Sun 01 April 2010)

6 (ZeeNews.com 01 April 2010)

7 (Reuters News Agency 31 March 2010)



## Closing Comments:

Our scholars should focus more on justice than on peace. A people who have their land occupied, their resources plundered by major Western corporations, their kings and presidents are stooges who have authority to oppress and steal but no authority to act independently of their Western masters, their children and women are fair play for American firepower; such a people do not need to hear needless sermons on Islam being the religion of peace. They need to hear how Islam will bring them justice and retribution. They want to hear how Islam can help them bring an end to occupation, how Islam can allow them to live in dignity under their own system of government, and ruled by their own people. They need to be empowered and encouraged. This is the message the Muslims are waiting to hear from our esteemed scholars.

The “New Mardin Declaration” is not worth the ink and the paper it is written on. It is a disgrace for those who agreed to take part in it, and has nothing to do with the *ummah* whom Allah described as being: {...the best nation brought forth to humanity}.

Determining the path for the future of the *ummah* was not left to our whims but was already set forth for us by the Messenger of Allah ﷺ.

He said: “A group of my *ummah* will continue fighting until the Day of Judgment”. He also said: “I was instructed to fight mankind until they testify that there is no one worthy of worship other than Allah”.

We stand firmly by these statements of our beloved Prophet ﷺ and we will, by the will of Allah, fight to uphold them and call others towards them. We stand firmly by the giant classical Imams of the *ummah* and we will not be deterred by the dwarfs of today, and we refuse all attempts of rewriting the Islamic shari'ah to kowtow to a New World Order that doesn't belong to us and must be challenged and changed. Just as the *khilāfah* and the shari'ah rule were dismantled, we now see such dangerous attempts at dismantling the body of *fiqh* of our early scholars. This call to discard the *fatwa* of Ibn Taymiyyah should not be seen as merely a disagreement with Ibn Taymiyyah on a particular point of legislation but as part of an orchestrated effort, under the sponsorship of the West, to discard the body of work done by centuries of scholarly work by the Imams of the *ummah*. But to put it that way is to put it mildly. It is in its essence a covert attempt at abrogating all the verses of Qur'an and hadith that call for the establishment of Islamic rule, fighting aggression, and fighting for the spread of the call of Islam.

According to these scholars, these rules simply have no place in the modern world. According to them there is a New World Order that necessitates a New World *fiqh*. A *fiqh* of submission, a *fiqh* of rendering what is unto Caesar to Caesar, a *fiqh* that would allow the cowards to live in peace. It doesn't matter what quality of life they live as long as they are living. Changing the status quo is not an easy task. Rocking the boat affects everyone. The Prophets experienced the consequences of challenging the status quo that was instituted and defended by the powerful. They suffered, and their followers suffered. But that did not deter them from carrying on their mission. Today the status quo is fiercely defended by the powerful and not everyone has the courage to go against it. If you defy it you suffer. You pay a price.

Those who oppose the status quo see a powerful current and they are reluctant to cross it because, in the eyes of many, to go against the tide in today's world is insanity. Sadly, today many of our scholars have opted for the option of safeguarding themselves rather than safeguarding the religion. The problem is when this personal weakness is masked under the cloak of religion, and religion is used to justify a position that cannot be justified neither by our *fiqh* nor our history. Jihad will continue in its various forms and fighting will continue until the Day of Judgment and will not be harmed or deterred by those who betray it.